

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUPER AMERICAN TISSUE, :  
Plaintiff, :  
: against- :  
GLOBAL EQUIPMENT AND MACHINERY :  
SALES INC., et al., :  
: Defendants. :  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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18 Civ. 3851 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Opinion & Order at Dkt. No. 72 (the “Order”) dismissed the Amended Complaint on November 21, 2019. The Order permitted Plaintiff to replead in a Second Amended Complaint (“SAC”) by January 6, 2020, provided that Plaintiff also filed by that date proof that it had been reinstated as a Delaware corporation, with the capacity to sue. Plaintiff has not timely filed a proposed SAC or proof of its reinstatement as a Delaware corporation, or otherwise requested an extension. It is hereby

**ORDERED** that, because the operative Amended Complaint has been dismissed, this action is now closed, without prejudice to restoration of the action, provided that Plaintiff (1) makes an application to restore within two weeks of this Order and (2) attaches to the application a proposed SAC and proof of its reinstatement as a Delaware corporation. Any application without these two required materials will be denied.

The Clerk of Court is respectfully directed to close this case.

Dated: January 9, 2020  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**